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**JEROME HALL LAW LIBRARY**

INDIANA UNIVERSITY  
Maurer School of Law  
Bloomington

# RES IPSA LOQUITUR

Newsletter of



the Law Library

Volume 5, Number 1

Indiana University  
School of Law- Bloomington

September 1994

## "IO" IS GROWING

by Nonie Watt

**T**hose of you returning to the Library after the summer will notice a number of changes to the online catalog. IO (I.U.'s name for its online catalog) has been expanded to provide easy access to many electronic library services along with the library's own catalog. The newly designed menus integrate some familiar electronic library resources along with some brand new ones. You can still search the indexes from IAC you've become accustomed to: Expanded Academic Index, Business Index, and National Newspaper Index. In addition to those familiar services, the new IO provides a much broader range of journal indexes and allows users to access the catalogs of research libraries both in the U.S. and abroad.

While space prohibits me from going into a lot of detail about individual new services at this time, there are several things you should be aware of. While we now have online access to journal indexes ranging in topics from medicine to art to education, the *Index to Legal Periodicals* has not yet been loaded into the IO database. Therefore, to search for articles in legal journals, you will still need to use the Legaltrac and CD-ROM terminals located in the Reserve area of the Library as you have in the past. At some point, ILP will be available through IO, but not yet.

Also, you should know that many of the new online indexes have their own search techniques. In other words, commands may vary from one index to the next. Because of the potential for confusion, extensive and detailed "Help" screens are available throughout the system. Please review them before attempting to search in unfamiliar indexes. And finally, as of this writing,

the changes described in this article apply only to public access terminals. If you dial into IO from home or access the system via the Law School's LAN, your menu will remain as before until a new system for remote users is installed later this fall.

Future *Res Ipsa Loquitur* articles will address specific services in more detail and announce new menu items as they become available. In the meantime, try out the new system and some of its offerings. Because the online catalog is still growing and changing, those involved in menu design and the scripting of "Help Screens" welcome any and all suggestions. As always, library staff will be available should you encounter any problems.

## NOISE IN THE LIBRARY

The beginning of the school year seems to be an appropriate time to remind everyone to keep the noise level in the Library stacks area to a minimum. Please be

### *What's Inside*

Book of the Month	2
Pardon Our Tours	2
New & Noteworthy	3
Suggestion Box	4
New Australian Sources	5
Judging Jumpstart	5
Working the Halls	6

especially cognizant of talking at the study tables on the reading room level and on the first floor, and when you are walking on the main stairway of the Library. Because of the design of the atrium, noise easily carries from one floor to another. If you need to engage in conversation, either check out a key to a conference room or move into the Library lobby. The lobby has been designated as an area for quiet talking.

The Library staff will also make every effort to keep our talking to a minimum in the Library stacks. Some conversation is required in the course of answering reference questions and, of course, when conducting tours of the Library. However, we will post a notice in advance when a Library tour is planned.

If you have a problem with noise in the Library, please report it to a librarian. We appreciate your assistance and cooperation in maintaining a quiet place to study.

Linda Fariss,  
Associate Director

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## BOOK OF THE MONTH

Moore, Leonard J. *Citizen Klansmen: the Ku Klux Klan in Indiana, 1921-1928*. Chapel Hill: University of North Carolina Press, 1991. HS2330.K63 M66 1991

When people hear about the Ku Klux Klan today, they generally tend to think of it in terms of its character displayed during Reconstruction after the Civil War, and in response to the civil rights movement of the 1950s and 1960s (continuing down to the present day). As significant as the Klan was during those times, it did not exert its greatest influence during either time. The Klan movement from 1915 through the 1920s was stronger and more widespread than at any other time, particularly outside of the South. The 1920s Klan was extremely strong in the Midwest, and of the Midwestern states, Indiana's Klan had the greatest impact and influence. This book is an attempt to analyze why this occurred, and what people and backgrounds were attracted to the Klan.

The author, Leonard Moore, states in the introduction that "[w]hile the Klans of the Reconstruction and civil rights eras were driven primarily by the single issue of white supremacy in the South, the Klan of the 1920s espoused...a more complex creed of racism, nativism, Americanism; the defense of traditional moral and family

values; and support for Prohibition." (p. 2-3) Thus, the author contends that what attracted people to the Klan in the 1920s was more than opposition to African-Americans, Catholics, and immigrants; but also support for traditional moral values, family values, Protestant Christianity, and Prohibition. It is important to keep this in mind when attempting to understand the Klan movement of the 1920s.

After this introduction, Moore then analyzes the Klan in Indiana, using membership lists and other documents from the time. He shows that it was not just rural people who joined; or just poor people; or people who were members of conservative religious denominations. Rather, Klan membership crossed all these lines and included rural and city dwellers; rich, middle class, and poor people; and people from all different Protestant churches and non-church members as well. In addition, he shows the percentage of members broken down by the counties in Indiana. This is probably the biggest surprise in the book—the counties with the lowest percentage of native white men who were members of the Klan were mostly in the southern part of the state along the Ohio River. The counties with the highest percentage were mostly in the center and northern parts of the state. As an example, Harrison County on the Ohio River had a percentage membership in the Klan of 1% of native white men, while White County in the northwestern part of the state had a percentage membership of 38%. This is exactly opposite of what would have been expected, since the southern counties of Indiana were mostly settled by southerners.

Moore goes on to discuss many other beliefs and myths about the Klan. He attempts through careful examination of the evidence to show what the Klan was really like, what it stood for, and who belonged. This book does not give a detailed history of what the Klan did in Indiana in the 1920s, but rather what it was made of and why it became so strong and influential. This book is essential to understand the Klan in Indiana in the 1920s, and I highly recommend the book.

Michael Maben,  
Cataloging Librarian

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## PARDON OUR TOURS

Everything in the Law School shifts into high-gear with the beginning of another academic year, and the Law Library's Public Services staff is no exception. Starting



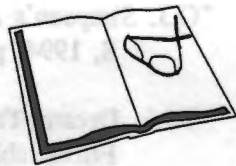
with orientation tours for the entire incoming first-year class, the Public Services librarians expect to provide tours, in-class lectures and bibliographic instruction to well over 1500 students this semester. Aside from assisting in the teaching of first-year writing and research classes, the librarians will also be guiding a substantial number of non-law students in the use of the Law Library and its collection. Students from a wide range of disciplines, such as Journalism, Business, SPEA, Telecommunications and Political Science will be receiving training in the use of periodicals indexes, legal encyclopedias and the reporter systems during the months of September and October.

In order to make tours of Library less disruptive to students studying in the Reading Room and on the First Floor, the Public Services staff will post notices of upcoming tours so that students can seek other study areas during those times.

Keith Buckley,  
Reference Librarian

## NEW & NOTEWORTHY:

### SUMMER HEAT



The HOTTEST subject of the summer? No doubt about it, it was/is the O.J. Simpson case. And, not surprisingly, everyone seems to have an opinion on Simpson's guilt/innocence; on the media's role in the case; on America's fascination with the downfall of celebrities; on the amount of domestic violence that goes on unpunished; and on the role of DNA evidence in court.

So to help you form your own opinions, here is a bibliography of materials which touch on some of the key issues and personalities of the Simpson event. All of these materials are available in the Law Library.

#### "POPULAR TRIALS" AND AMERICAN CULTURE:

Harriman, Robert, ed. *Popular Trials: Rhetoric, Mass Media, and the Law*. Tuscaloosa: University of Alabama Press, 1989. [KF 220 .P67 1990]

Edited by a professor of Speech Communications at Drake University, this monograph argues that "popular

trials should be recognized as a genre of public discourse. By examining popular trials we discover rich materials for understanding the texture of a society's public life..."

#### THE ROLE OF DNA TESTING IN THE COURTROOM:

Kirby, Lorne T. *DNA Fingerprinting: An Introduction*. New York: W. H. Freeman and Co., 1992. [RA 1057.55 .K57 1992]

Written by a Professor of Pathology at the University of British Columbia, this text was written to provide those unfamiliar with recombinant DNA technology with enough information to "make informed judgements on issues concerning application of this new approach to identity testing." Kenneth E. Melson, a Virginia prosecutor and lecturer at the National Law Center, wrote the Chapter entitled "Legal and Ethical Considerations."

National Research Council. Committee on DNA Technology in Forensic Science. *DNA Technology in Forensic Science*. Washington, DC: National Academy Press, 1992. [RA 1057.5 .N37 1992]

From the preface: "DNA typing for personal identification is a powerful tool for criminal investigation and justice. At the same time, the technical aspects of DNA typing are vulnerable to error, and the interpretation of results requires appreciation of the principles of population genetics. These considerations and concerns arising out of the felon DNA databanks and the privacy of DNA information made it imperative to develop guidelines and safeguards for the most effective and socially beneficial use of this powerful tool. We hope that our efforts will enhance understanding of the issues and serve to bring together people of good will from science, technology, law, and ethics."

#### DOMESTIC VIOLENCE IN AMERICA:

Steinman, Michael, ed. *Woman Battering: Policy Responses*. Cincinnati: Anderson Publishing Co., 1991. [HV 6626.2 .W66 1991]

From the introduction: "Every year, millions of women, children, and the elderly are criminally assaulted or abused by their closest relations or those with whom they live. Today, an unprecedented number and diversity of interventions are being delivered to protect

the victims of this violence and to punish or treat offenders. This book's contributors assess how well most types of interventions are working with respect to one form of family violence, woman battering."

Buzawa, Eve S. and Carl G. *Domestic Violence: The Criminal Justice Response*. Newbury Park, CA: Sage Publications, 1990. [HV 6626 .B89 1990]

From the introduction: "This book will provide a brief overview of theories of causation of domestic violence and its prevalence in our society. Concentration shall, however, be placed upon the changing nature of how the criminal justice system responds to this problem and the opportunities and limitations of various new approaches being attempted."

#### COURTROOM EVIDENCE:

Imwinkelried, Edward J., Paul C. Giannelli, Francis A. Gilligan, and Frederick I. Lederer. *Courtroom Criminal Evidence*, 2nd. ed. Charlottesville, VA: Michie Co., 1993 [KF 9662 .C68 1993]

From the introduction: "An attorney is a craftsman; and the rules of procedure and evidence are the tools of the craft, the devices the attorney uses to achieve results for the client. Honesty demands recognition that procedure is the most important subject for the attorney; but as any trial attorney will attest, evidence is a very close second."

Romano, John F. and Michael J. McHale. *Strategic Use of Circumstantial Evidence*, 2nd. ed. Charlottesville, VA: Michie Co., 1991. [KF 9677 .R36 1991]

From the introduction: "The overall philosophy behind 'strategic use of circumstantial evidence' is based on the premise that evidence can be discovered and then presented to the trier of fact in many ways. Some are persuasive and some are not. Evidence can and should be strategically used by taking advantage of the laws of logic. To persuade is to convince and this can only be accomplished through perfecting old and new techniques of trial advocacy. The welfare of our clients is in our hands. This is an awesome responsibility and an obligation. This book will hopefully be used as a tool in the advocate's arsenal to best represent the interests of the client, always keeping in mind our responsibilities to society and our ethical obligations."

FOR BACKGROUND INFORMATION ON SOME OF THE KEY PEOPLE IN THE SIMPSON CASE, SEE THE FOLLOWING ARTICLES IN THE *Los Angeles Daily Law Journal*:

"O.J. Simpson's All-Star Defense Team." v.107, July 8, 1994, page 6. [Newspaper Collection]

"DA's Dream Team: Hedgman and Clark Seen as a Formidable Combination." v.107, June 29, 1994 page 1. [Newspaper Collection]

### *The Suggestion Box*

(Each month in this space Associate Director Linda Fariss replies to suggestions received by the Library)

**Suggestion:** Skool? Tell students to stop spitting and throwing it in trash cans. Makes a bad smell and mess. Ban it, just like smoking.

**Response:** We have already banned it from the Library. Our Library Guide states that "the Law School has been designated as a smoke-free building. The use of all tobacco products is prohibited in the Library." If you notice the use of tobacco in the Library, please report it to a librarian. Thank you.

**Suggestion:** Please have more liberal hours in August!!!! I have a legal job and must do research here. Others are in the same position. This is very irresponsible.

**Response:** The Law Library normally has very liberal hours. However, when Law School is not in session we generally reduce our hours. This is due to staffing and budgetary considerations. For many years we have closed at 5:00 p.m. in August after summer school has ended and we have never received complaints. Next year we will try to be open later in August. We will probably not remain open until midnight as we normally do, but we will extend our hours until 7:00 or 8:00 p.m. to accommodate those who work during the day. Thank you for the suggestion.



"Profile: Judge Lance Ito of the Los Angeles Municipal Court." v.101, June 29, 1988, page 1.  
[Microfilm Collection]

Dick Vaughan,  
Acquisitions & Serials Control Librarian

## NEW AUSTRALIAN SOURCES

Over the past several years, the Australian and Canadian law collections have received a great deal of use, primarily by students who wish to do research on a comparative law topic. The popularity of these collections stems from the fact that they permit the researcher to do comparative research entirely in English.

In recognition of this usage pattern, the Library has recently added several new Australian legal titles that strengthen what was already a relatively strong collection of primary and secondary source materials. The Library has long subscribed to the *Acts of the Commonwealth of Australia*, the annual session laws of the Australian Parliament. However, these statutes are of little research value because they are not indexed cumulatively, and do not consolidate changes into the acts they modify. Therefore, to simplify statutory research the Library recently purchased the current consolidation of Australian federal acts. This consists of the *Acts of the Australian Parliament 1901-1973*, which the Library located after a full year's search, plus a series of individual statutes in pamphlet form that update the material in the consolidation volumes. Together, these sources provide complete coverage of current Australian federal statutes.

Access to these statutes is provided by an annual volume, entitled *Wick's Subject Index to the Acts and Regulations of the Commonwealth*. Annotations to interpretive cases and articles can be located in *Commonwealth Statutes Annotations*. This latter source also provides citations to regulations, as well as a citation to the current version of the statute under consideration, whether it be in the 1973 consolidation or a later pamphlet reprint.

The Library also recently added a general encyclopedia to its collection, entitled the *Laws of Australia*. When complete, this set will provide a general introduction to all areas of Australian law. Unlike the encyclopedias we are familiar with in the U.S., the *Laws of Australia* has

largely been produced by the academic community and maintains a high standard of scholarship. Another important difference relates to the philosophy employed in citing supporting cases. Unlike American encyclopedias, which attempt to be comprehensive in their case citations, the *Laws of Australia* cites only leading cases, but provides full digests of those included, as well as lengthy quotations from the opinions. This new encyclopedia should serve as both a good substantive introduction to all areas of Australian law, and as a case-finder, at least for leading cases. This latter function will be particularly important, since the Library does not own a digest to Australian case law.

All of these sources are shelved on the second floor of the Library, in the KTA range of classification numbers.

Ralph Gaebler,  
Foreign & International Librarian

## JUDGING JUMPSTART

During the last few weeks of the 1994 Spring Semester, the Law Library conducted the Jumpstart Legal Research Program, providing concentrated remedial research skills training for law students who were either beginning their professional careers or working as summer associates and clerks. Nearly 110 students attended one of the fourteen sessions, which consisted of a review of the basic research sources and a question and answer period for specific problems and areas of practice.

In order to expand the program and better prepare next summer's body of graduates and clerks, I would like to invite all returning Jumpstart students to drop by the Reference Office during the first few weeks of the semester and tell me about your research assignments. We are especially interested in whether or not you felt adequately prepared for most of your research tasks, how the Jumpstart sessions helped you and, most importantly, what else we could have told you or what we should be telling you about research in the practicing environment. If you don't have time to sit down with us during this hectic period of the semester, I would appreciate it if you could jot down your ideas and criticisms of the sessions and leave your notes at the Reference Desk. Your comments will help me in structuring next spring's Jumpstart Program and find new ways of making I.U. law students better researchers, better lawyers, and better prospects in an extremely competitive job market.

Finally, remember that if you discover that you've forgotten some of your newly-acquired research skills by the end of the school year, we'll be more than happy to

see you at next spring's Jumpstart sessions.

Keith Buckley,  
Reference Librarian

## WORKING THE HALLS

### Welcome to New Faculty!!

**Professor Steve Johnson** received his J.D. from New York University School of Law and comes to us from the Internal Revenue Service Chief Counsel Office in Jacksonville, Florida. Prior to joining the I.R.S., Professor Johnson practiced law in New York. He will be teaching tax law and acting as faculty advisor to the moot court program.

**Professor Lisa Farnsworth** will be teaching in the Legal Research and Writing Program. She received her J.D. from Indiana University, Bloomington and joins us from the Office of the Indiana Attorney General.

**Professor Cynthia Reichard** will also be teaching in the Legal Research and Writing Program. A graduate of the Indiana University School of Law, Bloomington, Professor Reichard previously practiced in Chicago with Hinshaw and Culbertson.

**Professor Susan Robel** has also joined the Legal Research and Writing Program this year. She received her J.D. from Boston University School of Law. Professor Robel practiced with Nutter, McClennan and Fish in Boston prior to arriving in Bloomington.

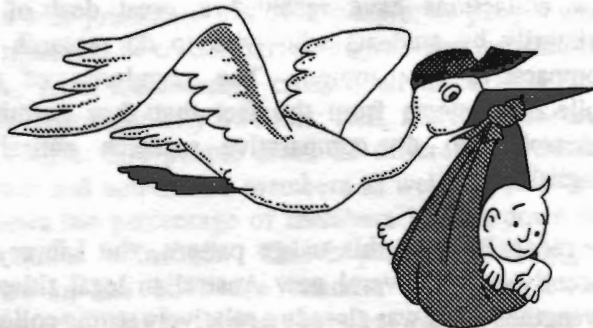
**Also Welcome to Visiting Professor Paul Craig.** Professor Craig is visiting us again from Worcester College, Oxford. He will be teaching Administrative Law during his stay at the Law School.

**Welcome to two employees who joined the Law Library Staff during the summer:**

**Rebecca Jones**, Monographic Cataloging Technician; and  
**Sonja Kaufman**, Senior Government Documents Assistant.

**Congratulations to Professor Alex Tanford and his wife, Phillipa Guthrie**, who are the proud parents of

**Phillipa Carroll.** She was born July 26th weighing 8 lbs., 11 ozs.



### Happy Belated August Birthday to:

**Professor Gene Shreve** on August 6th;  
**Assistant Dean Len Fromm** on the 15th;  
**Professor Steve Conrad** on the 16th;  
**Dale Calabrese** in the Student Affairs Office, and  
**Professors Ed Greenebaum and Jeff Stake** on the 19th;  
and  
**Sherrilyn Lawrence** in the Recorder's Office and  
**Professor Harry Pratter** on the 27th.



### Happy September Birthday to:

**Mike Maben** in the Library on September 12th;  
**Keith Buckley** in the Library on the 15th;  
**Professor Terry Bethel** on the 18th; and  
**Shirley Wright** in the Indiana Law Journal on the 29th.

**Hope you all have (or had) a great day!!!**